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HUDSON 208

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Kevin Zugibe, et al.  
Serial No. : 10/730,791  
Filed : December 9, 2003  
For : METHOD AND APPARATUS FOR OPTIMIZING  
REFRIGERATION SYSTEMS  
Art Unit : 3744  
Customer No. : 10037

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December 9, 2004

MAIL STOP PETITION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

PETITION TO REVIVE

In response to the Notice of Abandonment Under 37 CFR 1.53(f) or (g),  
Applicants submit this Petition to Revive.

Applicants duly responded to the Requirement mailed March 10, 2004 by filing on March 16, 2004, a set of formal drawings, a Response to Notice to File Corrected Papers and a copy of Notice to File Application Papers. The undersigned personally inspected the documents as they were being mailed, and initialed and dated the postcard, a copy of which is enclosed hereto. The return postcard was received March 22, 2004 in our offices and was stamped on March 18, 2004 by the OIPE.

It is respectfully submitted that no fee is due hereunder, and that the application should be reinstated.

The Patent Office is further requested to conduct an investigation to determine how these important documents could possibly have disappeared or otherwise become unavailable.

If any fee is believed due hereunder, same may be charged to Deposit Account No. 50-0427.

To the extent any fault is assigned to Applicant or its attorneys, it is respectfully submitted that any abandonment of the application was unavoidable, and relief granted under 37 CFR 1,137(a). No Terminal Disclaimer is believed due in this application.

Respectfully submitted,



Steven M. Hoffberg  
Reg. No. 33,511

MILDE & HOFFBERG LLP  
10 Bank Street – Suite 460  
White Plains, NY 10606  
(914) 949-3100

I hereby certify that this correspondence is being deposited with the United States Postal Services as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

By 

Date 12/9/04



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/730,791	12/09/2003	Kevin Zugibe	HUDSON 208

10037  
 MILDE & HOFFBERG, LLP  
 10 BANK STREET  
 SUITE 460  
 WHITE PLAINS, NY 10606



CONFIRMATION NO. 4809

ABANDONMENT/TERMINATION  
LETTER

\*OC000000014684688\*

Date Mailed: 12/07/2004

## NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 03/10/2004.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

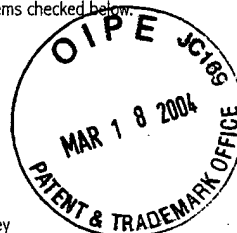
PART 2 - COPY TO BE RETURNED WITH RESPONSE



Case No. HUDSON 208  
Serial/Patent No. 10/730,791  
Mailing Date: 3/16/04  
Due Date: 5/10/04

The Patent & Trademark Office acknowledges, and has stamped hereon the date of receipt of the items checked below.

- ☐ Abstract
- ☐ Amendment - Pages
- ☐ Application - Pages
- ☐ Assignment
- ☐ Assignment Recordation Sheet
- ☐ Check(s) for \$
- ☐ Claims - Pages
- ☐ Declaration and Power of Attorney
- ☐ Drawings - Sheets
- ☒ Formal Drawings (FIGS. 1 to 9) - Sheets 8
- ☐ Information Disclosure Statement
- ☐ Issue Fee Payment
- ☐ Letter/Response
- ☐ Letter to Official Draftsman
- ☐ Maintenance Fee Payment
- ☐ Notice of Revocation of Power of Attorney & Change of Address
- ☐ Petition for Extension of Time
- ☐ Priority Document
- ☐ PTO Form 1082
- ☐ PTO Form 1449
- ☐ References -
- ☒ Postcard



☒ Response to Notice to File Corrected Application Papers -  
a copy of Notice to File Corrected Application Papers -  
SM H 3/16/04

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✓ Response to Notice to File Corrected Application Papers -

✓ copy of Notice to File Corrected Application Papers -

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